

July 28, 2003

Mike Haskins, Chief
Branch of Lands and Realty
BLM Alaska State Office
222 West 7th Avenue, No. 13
Anchorage, Alaska 99513-7599

BLM AK SO 952
ANCHORAGE AK
2003 AUG - 6 PM 1:06

*Re: Federal Register Notice regarding State of Alaska Application for
Recordable Disclaimer of Interest for Lands Underlying a Portion of the
Black River, Etc., 68 Fed. Reg. 24,754 (May 8, 2003).*

Dear Mr. Haskins,

My name is Lois Verney, I am an
Athabascan Gwitchin from Chalkyitsik.

My Native allotment is on the end of
Big Lake - about 6 miles from Chalkyitsik.

POB 55
Chalkyitsik, Ak 99788 848-8002

It has just come to my attention that the State of Alaska has filed an application with the Bureau of Land Management (BLM) for a recordable disclaimer of interest for portions of the bed of the Black River and Black River Slough, the Salmon Fork, the Grayling Fork and Bull Creek. I believe that the BLM's decision on the State's application may affect my legal rights, including my property rights as an allottee and my subsistence rights. I am also concerned that if the State should gain title to the riverbeds at issue, my rights may be adversely impacted by actions the State may take in the future, such as mining or other industry use. The BLM has a trust responsibility with respect to allotments and to protect the Alaska Native subsistence culture and economy. See Secretarial Order No. 13175 (Nov. 6, 2000).

Under the Winters doctrine (207 U.S. 564 (1908)), as the beneficiary of an allotment held in trust by the United States, I have an entitlement for the use of waters from streams which arise upon, traverse or border on that allotment for agricultural, domestic household uses, and, perhaps for the processing minerals derived from the allotment. The Department of the Interior has an obligation to ensure that such rights are preserved in any disposition of the State of Alaska's application. Any action the BLM takes in response to the State's filing must take these matters into account.

I understand that comments on the State's application are due to the BLM on August 5, 2003. Because I have just learned of the application and have not yet had an opportunity to explore the full extent of my legal rights and how they may be impacted by the State's filing, or by the BLM's ultimate decision on the filing, I respectfully request a 90-day extension of time to be able to submit more specific comments to you. Such an extension will allow me adequate time to examine the ramifications of the State's application on my own rights and interests so that I can provide the BLM with information that can be meaningfully used in making a final determination about the State's request.

Sincerely,

Lois Verney